

739 KAR 2:100. Volunteer firefighter requirements.

RELATES TO: KRS 67.083, Chapter 75, 95A.040, 95A.990, Chapter 273

STATUTORY AUTHORITY: KRS 95A.040(1)(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.040(1)(d) requires the commission to promulgate administrative regulations establishing the minimum requirements for a volunteer firefighter in the Commonwealth of Kentucky. This administrative regulation establishes the minimum requirements for a volunteer firefighter in the Commonwealth of Kentucky.

Section 1. Definitions. (1) "Volunteer fire department" means a fire department with a minimum of twelve (12) members and a chief, at least one (1) operational fire apparatus or one (1) on order, with fewer than fifty (50) percent of its firefighters being full-time paid firefighters.

(2) "Volunteer firefighter" means an individual who receives either no salary or a salary of less than \$8,000 annually for the provision of firefighting services to a volunteer fire department.

Section 2. Volunteer Firefighter Requirements. Each volunteer fire department that operates in a city of any class as a fire protection district organized pursuant to KRS Chapter 75, as a county district established under authority of KRS 67.083, or as a nonprofit corporation created pursuant to KRS Chapter 273 shall require and ensure that each volunteer firefighter providing services on its behalf is:

(1) Able to read, write, and understand the English language based on educational attainment or experience;

(2) Not in violation, and has not been in violation within the last five (5) years, of driving under the influence or public intoxication;

(3) Not convicted of a felony offense;

(4) A citizen of the United States, a permanent resident of the United States, or otherwise lawfully present in the United States, as evidenced by submission to the Kentucky Fire Commission of a driver's license, birth certificate, a United States Permanent Resident Card (form I-551), or other legal authorization to live and work in the United States; and

(5) Eighteen (18) years of age or older, as evidenced by submission to the Kentucky Fire Commission of proof of age in the form of a driver's license, birth certificate, or other government-issued identification card. (42 Ky.R. 2298; 2575; eff. 5-6-2016; Crt eff. 2-24-2020.)